



Order Filed on August 23, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

Ronald I. LeVine, Esq.
210 River Street, Suite 11
Hackensack, New Jersey 07601
Attorney for Debtor

In Re:

CARMEN SARO

Case No.:16-28615 VFP

Chapter: 13

Judge: Hon. Papalia

ORDER APPOINTING FORENSIC ACCOUNTANT AND GRANTING OTHER RELIEF

The relief set forth on the following pages two (2) through three (3) is
hereby **ORDERED**.

.....

DATED: August 23, 2019

A handwritten signature in cursive script, reading "Vincent F. Papalia".

Honorable Vincent F. Papalia
United States Bankruptcy Judge

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Debtor: CARMEN SARO

Case No. 16-28615 VFP

Caption of Order: ORDER APPOINTING FORENSIC ACCOUNTANT AND GRANTING OTHER RELIEF

THIS MATTER being opened to the Court by Ronald I. LeVine, Esq., attorney for debtor herein, upon notice to BAYVIEW LOAN SERVICING through its attorneys Shapiro & DeNardo, LLC, and to Marie-Ann Greenberg, Chapter 13 Standing Trustee for entry of an Order enforcing the May 18, 2018 Order approving the loan modification with BAYVIEW LOAN SERVICING and in accordance with the terms of the Interim Order entered by this Court on June 6, 2019 and it appearing that all secured parties having been given notice of the Motion; and good and sufficient cause having been shown for entry of the within Order;

ACCORDINGLY, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. Inasmuch as the debtor is not satisfied with the Bayview's explanation and accounting for the amount due under the approved mortgage modification, and pursuant to the June 6, 2019 Order of this court, a forensic account is hereby appointed, with his or her fees and expenses to be advanced by and paid for by Bayview to review the relevant documents and transactions and to determine the correct amount due on Bayview's mortgage as of March 31, 2019 based on the terms of the modification agreement approved by this Court on May 18, 2018.

2. The accountant appointed in accordance with paragraph 1 is Anthony J. Santye, Jr. of A.J. Santye & Company, P.A.. The conclusions of said accountant shall be binding on the parties. Bayview will agree to make all its records open to that expert. Although the other accountant's rate is lower, the Court chose Mr. Santye and his firm principally (but not exclusively) because they are located in New Jersey (as opposed to the other accountant, who is located in Arkansas), and the blended rate of Mr. Santye and his staff is close to that of the other accountant. Otherwise, both accountants appeared to be well-qualified.

3. Mr. Santye shall file a certification or declaration confirming that he has no prior connections with Bayview and/or the Debtor within 10 (ten) days of entry of this Order.

3. A reasonable attorney fee shall be awarded to debtor's counsel, Ronald I. LeVine., Esq, based on a submission of a Certification of Services relating to the filing of this Motion and subsequent proceedings related thereto. The secured creditor shall have ten (10) days to object to the reasonableness of the fee, in default of which an Order granting the full amount will be entered. If an objection is timely filed the Court may decide the application on the papers or schedule a hearing on request of any party.